

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

SCOTT JOHNSON, et al.,

Plaintiff(s),

vs.

JONATHAN BERNSTEIN, et al.,

Defendant(s).

Case No. 2:13-cv-00641-RFB-NJK

ORDER

(Docket No. 144)

Pending before the Court is Defendant's motion to continue discovery deadlines, filed on November 4, 2014. Docket No. 144. On November 12, 2014, counsel for Defendant Dignity Health filed a notice of all parties' positions on the pending motion to continue discovery deadlines. Docket No. 146. On November 14, 2014, the Court ordered that responsive briefing by parties that oppose or conditionally agree to Defendant's motion to continue discovery deadlines was due on November 17, 2014. Docket No. 147. No responsive briefing was filed. *See* Docket.

Pursuant to Local Rule 7-2(d), "[t]he failure of an opposing party to file points and authorities in response to any motion shall constitute a consent to the granting of the motion." Defendant Dignity Health requests a 90-day extension of the discovery deadlines. Docket No. 144, at 6-8. The Court finds that a 90-day extension of the discovery deadlines is excessive and further, that Defendant did not establish excusable neglect for the deadlines set to expire in less than 21 days.<sup>1</sup>

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<sup>1</sup> The deadline for amending the pleadings and initial expert disclosures were set to expire on November 13, 2014. Docket No. 126. The Court temporarily extended deadline for amending the pleadings and initial expert disclosures from November 13, 2014, to November 20, 2014. Docket No. 147.

1 Accordingly, the Court **GRANTS** a 30-day extension of the discovery deadlines. Thus, the  
2 discovery schedule is as follows:

- 3 1. Amend pleadings: December 22, 2014
- 4 2. Initial expert disclosures: December 22, 2014
- 5 3. Rebuttal expert disclosures: January 14, 2015
- 6 4. Discovery: February 13, 2015
- 7 5. Dispositive motions: March 18, 2015
- 8 6. Joint pre-trial order: April 15, 2015<sup>2</sup>

9 Based on the foregoing,

10 **IT IS HEREBY ORDERED** that Defendant's motion to continue discovery deadlines  
11 (Docket No. 144) is **GRANTED** in part and **DENIED** in part.

12 DATED: November 19, 2014

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NANCY J. KOPPE  
United States Magistrate Judge

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28 <sup>2</sup> In the event dispositive motions are filed, the pretrial order deadline shall be suspended until  
30 days after a decision on the dispositive motion, or further order of the Court.